

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2006 - 0045**

**APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN
FOR THE CENTRAL COAST REGION (BASIN PLAN) TO ESTABLISH A
TOTAL MAXIMUM DAILY LOAD (TMDL) FOR
NITRATE-NITROGEN (NO₃-N) IN SAN LUIS OBISPO CREEK**

WHEREAS:

1. The Central Coast Regional Water Quality Control Board (Central Coast Water Board) adopted a revised Basin Plan on February 11, 1994, which was approved by the State Water Resources Control Board (State Water Board) on May 18, 1994 and by the Office of Administrative Law (OAL) on September 7, 1994.
2. On September 9, 2005, the Central Coast Water Board adopted Resolution No. R3-2005-0106 ([Attachment](#)) amending the Basin Plan to establish a TMDL for NO₃-N in San Luis Obispo Creek.
3. Central Coast Water Board staff prepared documents and followed procedures satisfying the requirements of the California Environmental Quality Act.
4. The Central Coast Water Board found that this amendment would result in no adverse effect on wildlife, and the amendment would be consistent with the State Antidegradation Policy (State Water Board Resolution No. 68-16) and federal antidegradation requirements.
5. The State Water Board finds that the Basin Plan amendment is in conformance with Water Code section 13240, which specifies that Regional Water Quality Control Boards may revise Basin Plans, and section 13242, which requires a program of implementation of water quality objectives. The State Water Board also finds that the TMDL as reflected in the Basin Plan amendment is consistent with the requirements of federal Clean Water Act section 303(d).
6. A Basin Plan amendment does not become effective until approved by the State Water Board and until the regulatory provisions are approved by OAL. The TMDL must also be approved by the U.S. Environmental Protection Agency (USEPA).

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the amendment to the Basin Plan to establish a TMDL for NO₃-N in San Luis Obispo Creek as adopted under Central Coast Water Board Resolution No. R3-2005-0106.

2. Authorizes the Executive Director or designee to submit the amendment adopted under Central Coast Water Board Resolution No. R3-2005-0106, as approved, and the administrative record for this action to OAL and the TMDL to USEPA for approval.

CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on June 21, 2006.

AYE: Tam M. Doduc
Gerald D. Secundy
Arthur G. Baggett, Jr.
Charles R. Hoppin

NO:

ABSENT:

ABSTAIN:



Song Her
Clerk to the Board